

Government of the District of Columbia
Office of the Chief Financial Officer



Jeff DeWitt
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Jeff DeWitt
Chief Financial Officer

DATE: November 4, 2014

SUBJECT: Fiscal Impact Statement – Firefighter Retirement While Under
Disciplinary Investigation Amendment Act of 2014

REFERENCE: Bill 20-890, Draft Committee Print as shared with the Office of Revenue
Analysis on October 27, 2014

Conclusion

Funds are sufficient in the FY 2015 through FY 2018 budget and financial plan to implement the bill.

Background

Currently, if a member of the Fire and Emergency Medical Services Department (FEMS) retires or resigns in the middle of a disciplinary investigation, he or she will receive retirement benefits.¹ Since a member must provide sixty day notice of retirement,² FEMS has that time to resolve the disciplinary action if retirement benefits are to be impacted as a result of the action.³

The bill would place any member in a conditional retirement status until the disciplinary investigation has been completed. The investigation must occur within twenty-five days from the date of retirement or resignation.⁴ While in conditional retirement status, the member will not receive pay or retirement benefits. If the member is absolved of any wrongdoing, retirement benefits will be paid retroactive to the date of retirement or resignation. If the wrongdoing is upheld, the member will be penalized as prescribed in the bill. Those penalties include a fine of \$100 to \$5,000 for an offense that would result in a suspension and \$1,000 to \$5,000 for an offense

¹ This applies only to those retirement benefits for which the member is eligible at the time of retirement or resignation.

² Thirty days for a resignation.

³ For example, a suspension could impact a member's time of service for calculation of retirement benefits.

⁴ This in addition to the required sixty or thirty day notice.

The Honorable Phil Mendelson

FIS: Bill 20-890, "Firefighter Retirement While Under Disciplinary Investigation Amendment Act of 2014,"
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that would result in termination. The employee can appeal the penalties at the District of Columbia Office of Employee Appeals.

The proposed process is similar to how retirement or resignation is handled in the midst of disciplinary investigations by the Metropolitan Police Department.⁵

Financial Plan Impact

Funds are sufficient in the FY 2015 through FY 2018 budget and financial plan to implement the bill. There are no costs associated with implementation of the bill. There is also no projection as to the amount of fine revenues that may be received under the bill's conditions.

⁵ Retirement/Resignation of Members While Under Disciplinary Investigation (6B DCMR § 877).